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UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

In re) Bankruptcy Case No. 09-45035

HOLLIS PARKS, SR. AND FREDA)
ARNETTE PARKS,) R.S. No. KH-392

Debtors.)
Chapter 13

U.S. BANK, NATIONAL ASSOCIATION)
AS TRUSTEE FOR WAMU MORTGAGE)
PASS THROUGH CERTIFICATE FOR)
WMALT SERIES 2007-0A3, and its)
successors and/or assignees,)

Movant,)

vs.)

HOLLIS PARKS, SR. AND FREDA)
ARNETTE PARKS, Debtors, and MARTHA)
G. BRONITSKY, Trustee,)

Respondents.)

**DECLARATION IN SUPPORT OF U.S. BANK
NATIONAL ASSOCIATION'S MOTION FOR
RELIEF FROM AUTOMATIC STAY**

HEARING DATE:

DATE: December 4, 2009

TIME: 10:00 a.m.

CTRM: 215

I, Barbara Hindman, declare:

1. I am a Vice President at JPMorgan Chase Bank, National Association as servicing agent for U.S. BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR WAMU MORTGAGE PASS THROUGH CERTIFICATE FOR WMALT SERIES 2007-0A3. In the foregoing capacity I have personal knowledge of the status and history of the HOLLIS PARKS, SR. ("PARKS") loan account, and if called upon to testify thereto I could and would do so competently and truthfully.

2. In my capacity as a Vice President, I have access to the business records of U.S. BANK NATIONAL ASSOCIATION as they relate to the PARKS loan. The records of U.S. BANK

1 NATIONAL ASSOCIATION are made and kept in the ordinary course of business by persons who
2 have a business duty to make such records on behalf of U.S. BANK NATIONAL ASSOCIATION.
3 The records are made at or near the time of the occurrence of the event or events of which they are
4 recorded. I have personally reviewed the records of U.S. BANK NATIONAL ASSOCIATION as
5 they relate to the PARKS loan herein. The records reflect the payments made by the Debtors, the
6 payments missed, and all charges accruing under the PARKS loan. Therefore, I am personally
7 familiar with the status of the PARKS loan.

8 3. **The Secured Debt.** On or about December 12, 2006, HOLLIS PARKS, SR.
9 made and delivered a Promissory Note in the original principal amount of \$244,000.00, secured by a
10 First Priority Deed of Trust on the Property commonly known as 44318 FENHOLD ST.,
11 LANCASTER, CA 93535 ("Property"). True and correct copies of the Note and Deed of Trust are
12 attached as Exhibits "1" and "2," respectively.

13 4. **The Default Under The Note.** The Note and Deed of Trust are pre-petition
14 due for the November 1, 2008 payment. As a result of the contractual default, a Notice of Default and
15 Election To Sell was recorded against the Property on February 25, 2009. The Notice of Sale was
16 published on May 29, 2009 and a foreclosure sale was scheduled for June 17, 2009. The total
17 delinquency under the Note is set forth in detail on Exhibit "3" to the Motion.

18 5. **The Post-Petition Delinquency.** The Debtors have failed to make post-petition
19 payments that have come due. The total post-petition delinquency is set forth below:

20	3	Payments at \$1,230.72 =	\$	3,692.16
21	3	Late charges at \$56.38 =	\$	169.14
22		Total "Post-Petition" Balance Due:	\$	3,861.30

23 6. **The Debtors' Interest In The Property.** HOLLIS PARKS, SR is the owner of
24 record of the Property.

25 7. **The Filing Of The Instant Petition.** On or about June 9, 2009, HOLLIS
26 PARKS, SR. AND FREDA ARNETTE PARKS filed the instant Chapter 13 Petition as Case No. 09-
27 45035.

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1 I declare under penalty of perjury according to the laws of the United States of America that the
2 foregoing is true and correct and that this Declaration is executed on October 29, 2009 in Jackson,
3 Florida.

4 5 <u>/s/Barbara Hindman</u> Barbara Hindman	<u>Vice President</u> <i>Title</i>
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